

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**JESSE N. MCCUALEY,**

**Plaintiff,**

**v.**

**Case No. 24-CV-1009**

**SARAH RANSBOTTOM, *et al.*,**

**Defendants.**

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**DECISION AND ORDER**

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Plaintiff Jesse N. McCauley, who is incarcerated and representing himself, brings this lawsuit under 42 U.S.C. § 1983. McCauley was allowed to proceed on a claim under the Eighth Amendment against Sarah Ransbottom for sexual harassment. He was also allowed to proceed on a claim under the Eighth Amendment against Kyle Tritt and Michael Zepka for failing to intervene to stop Ransbottom's sexual harassment. The court took supplemental jurisdiction of McCauley's state law claim for intentional infliction of emotional distress, and the court allowed McCauley to proceed on a claim for nominal and punitive damages related to an Eighth Amendment claim against Ransbottom.

On June 25, 2025, the defendants moved to amend their answer to McCauley's complaint to add an affirmative defense related to the state law claim. (ECF No. 22.) On July 1, 2025, the defendants filed a motion for partial summary judgment, arguing that all claims except for the claim for nominal and punitive damages against Ransbottom

should be dismissed. (ECF No. 24.) On July 14, 2025, McCauley filed a motion to voluntarily dismiss defendants Tritt and Zepka, and a motion to voluntarily dismiss all claims but the claim for nominal and punitive damages. (ECF Nos. 36, 37.)

As such, the court will grant McCauley's motions for voluntary dismissal and the defendants' motion for partial summary judgment. Tritt and Zepka are dismissed from the case. The court will deny the defendants' motion to amend the answer as moot because there no longer is a state law claim. The only remaining claim is the claim for nominal and punitive damages against Ransbottom. The court will set a telephonic status conference to discuss next steps.

## **ORDER**

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the defendants' motion to amend the answer (ECF No. 22) is **DENIED as moot**.

**IT IS FURTHER ORDERED** that the defendants' motion for partial summary judgment (ECF No. 24) is **GRANTED**.

**IT IS FURTHER ORDERED** that McCauley's motions to dismiss (ECF Nos. 36, 37) are **GRANTED**.

**IT IS FURTHER ORDERED** that Kyle Tritt and Michael Zepka are **DISMISSED**.

Dated at Milwaukee, Wisconsin this 4th day of August, 2025.

BY THE COURT

William E. Duffin

WILLIAM E. DUFFIN  
United States Magistrate Judge